PROCEEDINGS
of
THE TRAVANCORE SRI CHITRA STATE COUNCIL.

SECOND COUNCIL.

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The Council met in the Victoria Jubilee Town Hall at Eleven of the clock on Tuesday, the 8th February 1938/26th Makaram 1113, with Sachivottama Sir C. P. Ramaswami Aiyar, K. C. I. E., Dewan—President, in the Chair.

MEMBER SWORN.

Rajyarakshapravina R. Pitchu Aiyangar (*Commissioner of Police*) took the oath and signed the Rolls.

QUESTIONS AND ANSWERS.

Complaints against the Inspector of Police at Eraniel.

75. **Mr. K. R. Elankath** (*Kalkulam and Vilavankod* cum *Neyyattinkara*): Will the Government be pleased to state:

(*a*) whether the Commissioner of Police or the D. S. P., Trivandrum, has received complaints against the present Inspector of Police, Eraniel;

(*b*) if the answer to part (*a*) is in affirmative, the number and nature of the complaints;

(*c*) whether complaints were received against him while he was the Inspector at Aramboly, Edalakudy, Quilon and Warkala; and

(*d*) whether he has been departmentally punished at any time?

Rajyarakshapravina R. Pitchu Aiyangar (*Commissioner of Police*): (*a*) Yes.

(*b*) 7; for assault.

(*c*) Yes; while he was the Inspector of Police at Warkala.

(*d*) Yes.

Mr. K. R. Elankath: With reference to the answer to part (*b*), may I know what action was taken by the Police Commissioner?

Rajyarakshapravina R. Pitchu Aiyangar: The matter was immediately referred to the D. S. P. for enquiry, and the D. S. P. has sent in his report and final orders were passed on that report.

G. P. T. 1531—350.

Mr. K. R. Elankath: May I know the nature of the enquiry and the result of it?

Rajyarakshapravina R. Pitchu Aiyangar: The result of the enquiry was that these charges were false.

Mr. K. R. Elankath: May I know whether there were charges against this Inspector when he was at Eraniel?

Rajyarakshapravina R. Pitchu Aiyangar: Yes.

Mr. K. R. Elankath: May I know what they are?

Rajyarakshapravina R. Pitchu Aiyangar: That charge is for assault, now being tried.

Mr. K. R. Elankath: May I know whether that officer was confirmed even when serious charges of corruption and other charges were before the Government?

Rajyarakshapravina R. Pitchu Aiyangar: No, Sir.

Mr. K. R. Elankath: May I know when he was confirmed?

Rajyarakshapravina R. Pitchu Aiyangar: It was a few months ago.

Mr. K. R. Elankath: May I know whether it was after the assault and after Government punished him for misconduct that he was confirmed?

Rajyarakshapravina R. Pitchu Aiyangar: He was not punished.

Mr. K. R. Elankath: With reference to the answer to part (c), may I know what action was taken against him?

Rajayarakshapravina R. Pitchu Aiyangar: He was warned.

Mr. K. R. Elankath: May I know whether corruption of a specific instance of having received Rs. 150 from a particular individual connected with a murder case by this Inspector was brought to the notice of the Police Commissioner?

Rajyarakshapravina R. Pitchu Aiyangar: That was brought to my notice by the honourable member.

Mr. K. R. Elankath: May I know what action was taken on it?

Rajyarakshapravina R. Pitchu Aiyangar: The matter was referred to the D. S. P. and the D. S. P. has reported that the honourable member has got his own interest to serve in bringing forward such a charge.

President: I think it must be made clear that individual instances of charges of corruption and counter-charges are not to be ventilated on the floor of this House. The reasons are obvious. The answer which was given by the Police Commissioner indicates the dangers incidental to such questions and the possible answers. It may be that the department was right or it may be that the

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department was wrong. But these questions had better be discussed departmentally and not on the floor of this House because, as will have been seen yesterday and today, while Government are very anxious to find out the truth in these matters, it must be borne in mind that departments will, in that nature of things, and human nature being what it is, have their own explanations and there may be counter-charges and accusations and those things are not conducive to the dignity of the House. If these things are considered to be sufficiently serious as to be brought to the notice of Government that might be done either by personal or confidential communications to the Head of the Administration or otherwise. If they are discussed on the floor of the House it will be seen that the feelings between the members of the Legislature and the Heads of Departments will be strained and what would happen is probably exactly opposite to what the member has in mind. Instead of improving the administration it will stiffen things and it will be more difficult to get at the truth.

Mr. K. R. Elankath: I wish to bring one fact to the notice of the Chair. I know that it is not proper to bring such individual instances.....

President: I do not wish to be understood as saying that it is not the right and duty of the honourable members of the House, if they are sufficiently satisfied as to the authenticity of such complaints, to bring forward such complaints either to the Head of the Administration personally or on the floor of the House. But it may not be generally conducive to the serenity of the House to discuss such matters on the floor of the House. Where there is a possibility of a controversy or dispute as to the real facts, such matters should not be brought into the House. If there is a thing proved beyond the possibility of a doubt—it may be that a certain officer or a certain departmental head is incontrovertibly wrong—then this topic may be brought to the notice of this House. When one man says that a particular man has received bribes, another man may say that the honourable member who puts this question has got an interest in saying so and that he has got a grudge against that person. But to preserve the dignity of the House and the high position of the members of the Legislature, I think, it is better that we should not have such controversial matters discussed on the floor of the House.

Mr. K. R. Elankath: Whenever complaints of bribery are brought forward by members as representatives of the people against officers they are often not heeded. Here is a case where a specific request was made to the Commissioner of Police to make an enquiry through the C. I. D. so that the real facts may be known. But the Commissioner, instead of conducting the enquiry through the

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[Mr. K. R. Elankath.]

C. I. D., sends it to the D. S. P. who goes to the spot and informs the Inspector that he has come for conducting the enquiry so that he may take the preliminary precaution, and then conducts the enquiry. The report is the result of such an enquiry.

President: I have indicated what my view is. If any honourable member, being compelled by a sense of responsibility, wants to put forward any such instance, I do not stand in the way. He is very well within his rights. The honourable member will proceed.

Mr. K. R. Elankath: Instead of imputing motives to members, I request that Government will, as far as possible, see that proper steps are taken. That is the primary duty of the Government. I do not see why the Commissioner.....

President: The honourable member may put any question if he wants.

Mr. K. R. Elankath: May I know from the Commissioner why he thought that the enquiry should be made through the D. S. P. instead of through the C. I. D.?

Rajyarakshapravina R. Pitchu Aiyangar: The D. S. P. is the very responsible officer in charge of the District administration. He is expected to know more about the officers under him than anybody else. If he is not reliable and honest, there is no use of having D. S. Ps. As long as we have a set of such officers I must rely upon their reports. That is the reason why I referred the matter to the D. S. P.

Mr. K. R. Elankath: Is it possible for the D. S. P. to do C. I. D. work so that actual cases of corruption can be found out?

Rajyarakshapravina R. Pitchu Aiyangar: Quite possible. He can do much more than what the C. I. D. can do. Every Police officer is a C. I. D. officer.

Mr. K. R. Elankath: So am I to understand that the C. I. D. is maintained without any specific purpose?

Rajyarakshapravina R. Pitchu Aiyangar: The C. I. D. officers are full-time officers. They are doing C. I. D. work alone but the Police Officers of the District are doing C. I. D. work plus other work.

Conversion of lands in the Vembanad reclamation area from the 12th to the 13th tharam.

76. **Mr. M K. Ananthasiva Aiyar** (*Nominated*): Will the Government be pleased to state?

(*a*) the extent of the area in the Vembanad reclamations comprised in periods 1, 2 and 3 assessed at the 12th *tharam* and the 13th *tharam* respectively;

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